

Insurance Commissioner
ACCEPTED SOP

APR 30 2021

TIME: Zhy

**SUPERIOR COURT OF WASHINGTON
FOR SNOHOMISH COUNTY**

ALPINE FORWARDERS, INC., a Washington
corporation,

Plaintiff,

v.

HARTFORD FIRE INSURANCE CO., a
foreign corporation, and its operational
entities issuing Bond No. 52BSBGS2405,

Defendant.

NO. 21-2-01760-31

COMPLAINT

Alpine Forwarders, Inc. alleges as follows:

1. INTRODUCTION

1.1 This action arises out of Defendant's failure to timely renew a surety bond that Plaintiff relied on in conducting its business as a freight forwarder for United States' military personnel. Defendant's negligence and breach of contract resulted in Plaintiff being suspended from performing its contracted work and caused Plaintiff to suffer significant lost profits.

COMPLAINT

PNW CONSTRUCTION LAW
3213 W. Wheeler Street, Suite 516
Seattle, WA 98199
206.887.9596
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1 **2. PARTIES, JURISDICTION, AND VENUE**

2 2.1 Plaintiff Alpine Forwarders, Inc. is a Washington corporation
3 headquartered in Snohomish County, Washington. Alpine Forwarders contracts
4 through the U.S. Department of Defense to provide freight-forwarding services for U.S.
5 military personnel.

6 2.2 Defendant Hartford Fire Insurance Co. is a foreign corporation
7 authorized to conduct business in Washington and issue surety bonds on behalf of
8 service providers like Plaintiff performing work for Defense Department employees.

9 2.3 This Court has jurisdiction over the subject matter and parties to this
10 action, which is appropriately venued in Snohomish County.

11 **3. BACKGROUND**

12 3.1 Plaintiff had previously purchased from Defendant the surety bond
13 required by the Defense Department's Surface Deployment and Distribution
14 Command for performing freight forwarding services for its U.S. military personnel
15 (the SDDC Bond).

16 3.2 Defendant was tasked with renewing Plaintiff's SDDC Bond by April 15,
17 2018.

18 3.3 Defendant failed to renew the SDDC Bond, directly causing Plaintiff to be
19 suspended from performing freight-forwarding contracts secured by Plaintiff between
20 May 4 and May 17, 2018.

3.4 Plaintiff's business is seasonal. Plaintiff lost significant profits as a result of Defendant's failure to renew the SDDC Bond and the two weeks' suspension it caused Plaintiff.

4. NEGLIGENCE

4.1 Each of the above allegations are repeated and adopted here.

4.2 In agreeing to furnish Plaintiff with the SDDC Bond, Defendant was obligated to exercise ordinary care in, among other things, ensuring Plaintiff obtained the benefits of the SDDC Bond.

4.3 Defendant's agreement to issue the SDDC Bond required Defendant to procure the SDDC Bond for Plaintiff through the Defense Personal Property System (the DPS). Defendant acted negligently in failing to complete all steps within the DPS necessary for renewing the SDDC Bond.

4.4 As a direct and proximate result of Defendant's negligence, Plaintiff was suspended from performing its freight-forwarding services and lost profits on this contract work in an amount to be proven at trial.

5. BREACH OF CONTRACT

5.1 Each of the above allegations are repeated and adopted here.

5.2 Defendant undertook a contractual duty to procure the SDDC Bond for Plaintiff through the DPS and breached this duty in failing to complete the necessary steps for doing so.

COMPLAINT

- 3

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1 5.3 As a direct and proximate result of Defendant's breach of contract,
2 Plaintiff was suspended from performing its freight-forwarding services and lost
3 profits on this contract work in an amount to be proven at trial.

4 **REQUESTED RELIEF**

5 WHEREFORE, Alpine Forwarders, Inc. asks the Court for Judgment:

- 6 1. Entered against Hartford Fire Insurance and its bond no. 52BSBGS2405,
7 jointly and severally, in an amount to be proven at trial.
- 8 2. Awarding Alpine Forwarders its costs and attorney fees.
- 9 3. Awarding such other relief as the Court deems appropriate.

10 DATED: April 15, 2021.

11 **PNW CONSTRUCTION LAW**

12 By: s/Tymon Berger

13 Tymon Berger, WSBA No. 39979
14 tymon@pnwconstructionlaw.com

15 *Attorney for Alpine Forwarders, Inc.*



**Service of Process
Transmittal**

05/11/2021

CT Log Number 539536428

TO: Michael Johnson, Legal Assistant
The Hartford
1 Hartford Plz, HO-1-09
Hartford, CT 06155-0001

RE: Process Served in Washington

FOR: Hartford Fire Insurance Company (Domestic State: CT)

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: ALPINE FORWARDERS, INC., ETC., PLTF. vs. HARTFORD FIRE INSURANCE CO., ETC., DFT.
Name discrepancy noted.

DOCUMENT(S) SERVED: Attachment(s), Summons, Complaint

COURT/AGENCY: Snohomish County Superior Court, WA
Case # 2120176031

NATURE OF ACTION: Insurance Litigation

ON WHOM PROCESS WAS SERVED: CT Corporation System, Olympia, WA

DATE AND HOUR OF SERVICE: By Certified Mail on 05/11/2021 postmarked on 05/06/2021

JURISDICTION SERVED : Washington

APPEARANCE OR ANSWER DUE: Within 40 days after service, exclusive of the day of service (Document(s) may contain additional answer dates)

ATTORNEY(S) / SENDER(S): Tymon Berger
PNW CONSTRUCTION LAW
3213W. Wheeler Street, Suite 516
Seattle, WA 98199
206-887-9596

ACTION ITEMS: CT has retained the current log, Retain Date: 05/11/2021, Expected Purge Date: 05/16/2021

Image SOP

Email Notification, Michael Johnson MICHAEL.JOHNSON@THEHARTFORD.COM

Email Notification, Fiona Rosenberg Fiona.Rosenberg@thehartford.com

REGISTERED AGENT ADDRESS: C T Corporation System
711 Capitol Way S
Suite 204
Olympia, WA 98501
800-448-5350
MajorAccountTeam1@wolterskluwer.com



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TO: Michael Johnson, Legal Assistant
The Hartford
1 Hartford Plz, HO-1-09
Hartford, CT 06155-0001

RE: Process Served in Washington

FOR: Hartford Fire Insurance Company (Domestic State: CT)

The information contained in this Transmittal is provided by CT for quick reference only. It does not constitute a legal opinion, and should not otherwise be relied on, as to the nature of action, the amount of damages, the answer date, or any other information contained in the included documents. The recipient(s) of this form is responsible for reviewing and interpreting the included documents and taking appropriate action, including consulting with its legal and other advisors as necessary. CT disclaims all liability for the information contained in this form, including for any omissions or inaccuracies that may be contained therein.

MIKE KREIDLER

STATE INSURANCE COMMISSIONER

STATE OF WASHINGTON



www.insurance.wa.gov

OFFICE OF

INSURANCE COMMISSIONER

Certificate number **22412** is being issued to certify that the Insurance Commissioner of the State of Washington (OIC) has **ACCEPTED** service of process in the matter below.

Date Service of Process Accepted: 04/30/2021

Certificate Issued: 05/06/2021

Issued By: Nathan Kinder *NK*

Certificate Type: First Attempt

Certified Mailing Number: 70200640000077081334

Service Requested Upon: HARTFORD FIRE INSURANCE COMPANY
CT CORPORATION SYSTEM
711 CAPITOL WAY S SUITE 204
OLYMPIA, WA 98501 US

Authorized in Washington: Yes

Attorney Details: TYMON BERGER
PNW CONSTRUCTION LAW
3213 W. WHEELER ST., SUITE 516
SEATTLE, WA 98199 US
206-887-9596
TYMON@PNWCONSTRUCTIONLAW.COM

Case Number: 21-2-01760-31

Plaintiff: ALPINE FORWARDERS, INC., a Washington corporation,

Defendant: HARTFORD FIRE INSURANCE CO., a foreign corporation, and its operation entities issuing
Bond No. 52BSBGS2405,

Documents: SUMMONS (40 DAYS)
COMPLAINT

Copies Sent To: TYMON BERGER
HARTFORD FIRE INSURANCE COMPANY